



VILLAGE OF PALMETTO BAY

Mayor Karyn Cunningham
Vice Mayor Leanne Tellam
Council Member Patrick Fiore (Seat 1)
Council Member Steve Cody (Seat 2)
Council Member Marsha Matson (Seat 3)

Village Manager Nick Marano
Village Attorney John C. Dellagloria
Village Clerk Missy Arocha

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation, a sign language interpreter, or hearing impaired to participate in this proceeding should contact the Village Clerk at (305) 259-1234 for assistance no later than four days prior to the meeting.

AGENDA

REGULAR VILLAGE COUNCIL MEETING

MONDAY, JUNE 7, 2021 – 7:00 PM

(PROCLAMATIONS, AWARDS, & PRESENTATIONS WILL BEGIN AT 6:30 PM)
9705 EAST HIBISCUS STREET, PALMETTO BAY, FL 33157
(305) 259-1234

1. **CALL TO ORDER, ROLL CALL, INVOCATION, PLEDGE OF ALLEGIANCE, AND DECORUM STATEMENT, IN THAT ORDER:** Any person making impertinent or slanderous remarks, or who becomes boisterous, while addressing the Council may be barred from further appearance before the Council by the Mayor, unless permission to continue or again address the Council is granted by a majority vote of the Council. Applauding speakers shall be discouraged. Heckling or verbal outbursts in support or opposition to a speaker, or his or her remarks, shall be prohibited. No signs or placards shall be allowed in the Council meeting. Persons exiting the Council meeting shall do so quietly. All cellular telephones and beepers are to be silenced during the meeting.
2. **PROCLAMATIONS, AWARDS, PRESENTATIONS**
 - A. Recognition: Opus Care of Florida
 - B. Recognition: Senior Class of 2021
 - C. Recognition: LGBTQ+ Pride Month

3. APPROVAL OF MINUTES

- A. Regular Council Meeting (May 3, 2021)

4. REQUESTS, PETITIONS AND PUBLIC COMMENTS SUBMITTED

5. VILLAGE MANAGER'S REPORT

6. VILLAGE ATTORNEY'S REPORT

- Litigation update

7. VILLAGE CLERK'S REPORT

- Calendar update

8. BOARD AND COMMITTEE REPORTS

- A. Parks & Rec. and Community Outreach Committee (April 1, 2021)

9. EMERGENCY ORDINANCES WITH PUBLIC HEARING

10. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ADVISORY BOARDS AND COMMITTEES; MODIFYING DIVISION 3, SECTION 2-57 MEMBERSHIP APPOINTMENT OF THE VILLAGE'S CODE OF ORDINANCES RELATING TO ADVISORY BOARDS OR COMMITTEES; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. *(Sponsored by Village Clerk Missy Arocha)*

11. ORDINANCES FOR FIRST READING WITH PUBLIC COMMENTS

- A. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING SECTION 2-46, COMMITTEES; AMENDING ORDINANCE 2021-07 RELATING TO THE DESIGN REVIEW COMMITTEE; EXTENDING THE DUE DATE OF WHEN THE FINAL REPORT IS DUE TO THE VILLAGE COUNCIL AND ESTABLISHING A TIMELINE OF THE COMMITTEE'S MONTHLY MEETINGS; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*
- B. AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO ADVISORY BOARD AND COMMITTEES; CREATING THE VILLAGE HERITAGE COMMITTEE FOR THE VILLAGE'S 20TH YEAR ANNIVERSARY CELEBRATION; DEFINING THE MISSION AND SCOPE OF THE HERITAGE COMMITTEE; AND AUTHORIZING THE VILLAGE MANAGER TO ALLOCATE FUNDING TO COVER THE COSTS

RELATED TO THE 20TH YEAR ANNIVERSARY CELEBRATION; PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*

- C. AN ORDINANCE OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO SECTIONS 20-176-179 OF THE CODE OF ORDINANCES AT ARTICLE IV, THE "SHANNON MELENDI ACT"; PROVIDING DEFINITIONS OF EXCEPT ACTIVITIES AND AMENDING THE WORDING OF PROGRAMING PARTNER; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE. *(Sponsored by the Village Administration)*

12. CONSENT AGENDA

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO THE EDUCATION ADVISORY BOARD; ENDORSING COMPACT BETWEEN MIAMI-DADE COUNTY PUBLIC SCHOOLS AND THE VILLAGE OF PALMETTO BAY; TO ALIGN RESOURCES AND IMPLEMENT INNOVATIVE PROGRAMS TO EQUIP STUDENTS WITH THE TOOLS THEY NEED IN SCHOOL; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Vice Mayor Leanne Tellam)*
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO THE EDUCATION ADVISORY BOARD; APPOINTING A MEMBER TO THE EDUCATION ADVISORY BOARD; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO THE YOUTH COMMUNITY INVOLVEMENT TASK FORCE; APPOINTING MEMBERS TO THE YOUTH COMMUNITY INVOLVEMENT TASK FORCE; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*
- D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, REGARDING PARKS AND RECREATION; AUTHORIZING THE USE OF CORAL REEF PARK AT NO COST ON NOVEMBER 7, 2021 TO MIGGY'S GIFT, INC. FOR THE PURPOSE OF CONDUCTING A FUNDRAISING ANNUAL EVENT "STEPPIN IT FOR MELANOMA"; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*
- E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION AND PURSUANT TO SECTION 2-175 OF THE CODE OF ORDINANCES, DEEMING SIXTEEN (16) BICYCLES

PREVIOUSLY ACQUIRED FOR A BICYCLE RENTAL PROGRAM, NOW BE DEEMED AS SURPLUS PROPERTY; AND FURTHER, AUTHORIZING THE VILLAGE MANAGER TO DISPOSE OF VIA AN APPROPRIATE/SUITABLE DONATION TO A LOCAL NON-PROFIT ORGANIZATION; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

13. RESOLUTIONS REQUIRING PUBLIC HEARING

14. RESOLUTIONS WITH PUBLIC COMMENT

- A. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATED TO PROPERTY ACQUISITION; AUTHORIZING THE VILLAGE MANAGER TO UNDERTAKE A FEASIBILITY STUDY FOR THE POTENTIAL ACQUISITION OF THE PROPERTY LOCATED AT 17601 OLD CUTLER ROAD, BEARING FOLIO NO. 33-5035-000-0011, ALSO KNOWN AS THE BURCH PROPERTY; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Councilmember Marsha Matson)*
- B. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA; RELATING TO SURVEYING THE COMMUNITY; AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A COMMUNITY SURVEY TO SURVEY THE VILLAGE RESIDENTS, INCLUDING ITS IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Mayor Karyn Cunningham)*
- C. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AMENDING AND RESTATING RESOLUTION NO. 2020-44 IN ITS ENTIRETY; SUPPLEMENTING ORDINANCE NO. 2020-05 ENACTED ON JUNE 1, 2020, WHICH AUTHORIZED THE BORROWING OF MONEY AND THE INCURRENCE OF DEBT; AUTHORIZING A LOAN IN AN AMOUNT NOT TO EXCEED \$13,000,000 FROM THE FLORIDA MUNICIPAL LOAN COUNCIL TO REFINANCE ALL OR A PORTION OF AN OUTSTANDING LOAN PREVIOUSLY UNDERTAKEN FROM THE FLORIDA MUNICIPAL LOAN COUNCIL BY THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FURTHER DESCRIBED HEREIN; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A BOND PURCHASE CONTRACT; APPROVING THE FORM OF AND THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT; AUTHORIZING THE DISTRIBUTION OF THE PRELIMINARY OFFICIAL STATEMENT AND THE OFFICIAL STATEMENT IN CONNECTION WITH THE FLORIDA MUNICIPAL LOAN COUNCIL REFUNDING REVENUE BONDS, SERIES 2021A (VILLAGE OF PALMETTO BAY SERIES);

PROVIDING CERTAIN OTHER MATTERS IN CONNECTION WITH THE MAKING OF SUCH LOAN; AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

D. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA RELATING TO REGULATION OF FERTILIZER; ADOPTING THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S MODEL ORDINANCE FOR FLORIDA-FRIENDLY FERTILIZER USE FOR URBAN LANDSCAPES; PROVIDING FOR ADDITIONAL AND MORE STRINGENT STANDARDS THAN THE MODEL ORDINANCE, INCLUDING AN ANNUAL PERIOD DURING WHICH FERTILIZER APPLICATION GENERALLY WOULD BE PROHIBITED AND LIMITATIONS ON NITROGEN AND PHOSPHOROUS; PROVIDING ENFORCEMENT AUTHORITY TO BUILDING DEPARTMENT DIRECTOR; REQUESTING THAT THE VILLAGE MANAGER DIRECT COMMUNICATIONS DEPARTMENT TO CONDUCT AN EDUCATIONAL CAMPAIGN; AND PROVIDING SEVERABILITY, INCLUSION OF THE CODE, AND AN EFFECTIVE DATE. *(Sponsored by Administration)*

E. A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO PARKS AND RECREATION; AUTHORIZING THE VILLAGE MANAGER TO ENTER INTO CONTRACT WITH KIMLEY HORN AND ASSOCIATES, INC. FOR PARK DESIGN PROFESSIONAL SERVICES FOR A PROPOSED VETERANS PARK; AND AUTHORIZING THE VILLAGE MANAGER TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$177,100 AND PROVIDING AN EFFECTIVE DATE. *(Sponsored by Administration)*

15. OTHER BUSINESS

16. COUNCIL COMMENTS

17. NEXT MEETING AND ADJOURNMENT

- REGULAR COUNCIL MEETING (MONDAY, JULY 12, 2021)

WE, THE VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, HEREBY COMMIT OURSELVES TO MAINTAINING CIVILITY IN OUR PUBLIC AND POLITICAL DISCOURSE AND PLEDGE TO THE FOLLOWING PRINCIPLES:

- We will respect the right of all citizens in our community to hold different opinions;